



# Illinois Department of Natural Resources

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<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

June 1, 2010

Mr. Mark Phipps  
Chief Stormwater Engineer  
McHenry County Dept of Planning & Development  
2200 North Seminary Avenue  
Woodstock, IL 60098

**Re: Construction of 190' Telecommunications Tower and Equipment Shelter (IL 31 and Tryon Grove) - Richmond**  
**Endangered Species Consultation Program**  
**Project Number(s): 1009079**  
**County: McHenry**

Dear Mr. Phipps:

The Department received a submission from TriLeaf, via the Department's Ecological Compliance Assessment Tool (EcoCAT), on behalf of McHenry County, regarding this project in Section 28, Township 46 North, Range 8 East for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project is located just north of S. Solon Road, east of Illinois 31, and involves the construction of a 190' tall telecommunications tower and associated equipment shelter; total land area to be disturbed will be 3,600 square feet. The project site is within the vicinity of extensive and recent (2008) records for the State-listed endangered **Blanding's Turtle**, *Emydoidea blandingii*, and is only approximately 1,400' west of the **North Branch of the Nippersink Creek Illinois Natural Area Inventory Site** which hosts two State-listed threatened mussel species: **Black Sandshell**, *Ligumia recta*, and **Spike**, *Elliptio dilatata*.

The Department has completed its review of the project and determined that the action may have an adverse impact on the Blanding's Turtle. To minimize potential impacts, the Department recommends the following measures be implemented by the developer and incorporated into McHenry County's project authorization.

## Blanding's Turtles

1. Educate and inform construction crews and all on-site personnel about Blanding's Turtles before work begins - at a preconstruction meeting. An informational brochure that includes photos of the turtle (adult and juvenile), and presents the site management plan for responding to encounters, is

recommended.

2. If a turtle is encountered on or near the site, crews should be instructed to immediately stop work in the surrounding area and contact the Department (815/675-2386) and the McHenry Country Conservation District (815/653-2297) - keeping in mind it is a criminal act to handle one. Personnel on site should watch the turtle, keeping at a respectable distance, until the proper authority arrives to alleviate the situation. If the turtle moves, crews should mark where they first saw the turtle and the last spot it was seen.

If a Blanding's Turtle is encountered, Incidental Take Authorization from the Department's Office of Resource Conservation may be needed, which would result in a Conservation Management Plan for the species.

3. The area may be located within the route to/from a nesting site. Therefore, transiting turtles may be a concern if the work commences in the spring or summer. Limiting work to between October 15 and March 15, when this species is likely hibernating, may prevent machinery, vehicles, and activities from crushing or injuring juvenile or adult turtles.

4. If work cannot be limited to the recommended time frame, exclusionary fencing around the entire work site should be installed and in place, from mid-March and remain until the end of October, to prevent turtles from entering work areas. Daily inspections should occur for the first two weeks and then be maintained weekly throughout the construction period to ensure the exclusionary fencing has been properly installed (dug into the ground) and to check if any turtles are present are present on either side of the fence.

5. Because trenches can trap turtles (and other reptiles and amphibians), trenches and excavations should be routinely inspected throughout the day, to ensure no turtles have become trapped within them. Trenches should also be checked before being backfilled, covered at the end of each work day, and returned to original grade when project is done. Graded areas should be planted with native, non-invasive species since invasive and exotic species can form dense patches which make it difficult for turtles to travel through.

Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), the County must notify the Department of its decision regarding these recommendations, whether they will:

- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures if not all will be required); or
- Forgo the action.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resources review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected species are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Warm Regards,

A handwritten signature in cursive script that reads "Kathi Davis".

Kathi Davis  
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enclosure

cc: Mike Redmer, USFWS, Barrington Office  
Brad Semel, IDNR/Region II/Natural Heritage  
Ray Eisbrener, IDNR/Region II/Wildlife  
Elizabeth Kessler, McHenry County Conservation District  
Joseph Becker, Trileaf  
Cindy Skrukrud, McHenry County Defenders/1075.70  
Lisa Haderlein, The Land Conservancy of McHenry County/1075.70